

THE  
**COMPLIANCE**  
GROUP

February 29, 2012

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, S.W.  
Washington, DC 20554

Re: **Bolder Thinking LLC**  
CPNI Certification Pursuant to 47 C.F.R. Â§ 64.2009(e)  
EB Docket No. 06-36

Dear Ms. Dortch:

On behalf of Bolder Thinking LLC ("Bolder Thinking"), enclosed herewith please find the company's Annual Customer Proprietary Network Information Certification ("CPNI Officer Certification") covering 2011.

Should you have any questions regarding this filing, please do not hesitate to contact the undersigned.

Respectfully submitted,



Christopher A. Canter  
On behalf of Bolder Thinking LLC

# **STATEMENT OF POLICY REGARDING CUSTOMER PROPRIETARY NETWORK INFORMATION**

In accordance with Section 222 of the Communications Act and the Federal Communications Commission's ("FCC") CPNI Rules (47 C.F.R. Section 64.2001, et seq.), Bolder Thinking LLC ("Bolder Thinking") files this Statement of Policy outlining the Company's procedures for accessing, using and storing Customer Proprietary Network Information ("CPNI").

Bolder Thinking provides telecommunications services to retail customers. Therefore, because Bolder Thinking may access, use, or store CPNI when providing these types of services, the Company undertakes the steps outlined in this Statement of Policy to protect CPNI from unauthorized access or misuse.

## **Definition of CPNI**

Under federal law, CPNI is certain customer information obtained by a telecommunications provider during the course of providing telecommunications services (including interconnected VoIP) to a customer. This includes information relating to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service subscribed to by any customer of a telecommunications carrier.

Examples of CPNI include information typically available from telephone-related details on a monthly bill such as the types of services purchased by a customer, numbers called, duration of calls, directory assistance charges, and calling patterns. CPNI does not include names, addresses, and telephone numbers, because that information is considered subscriber list information under applicable law.

## **Use of CPNI**

It is the policy of Bolder Thinking not to use CPNI for any activity other than as permitted by applicable law. Any disclosure of CPNI to other parties (such as affiliates, vendors and agents) occurs only if it is necessary to conduct a legitimate business activity related to the services already provided by Bolder Thinking to the customer. If Bolder Thinking is not required by law to disclose CPNI or if the intended use is not otherwise permitted under FCC Rules, the Company will first obtain the customer's consent prior to using or sharing CPNI.

Bolder Thinking follows industry-standard practices to prevent unauthorized access to CPNI by a person other than the subscriber or Company. However, Bolder Thinking cannot guarantee that these practices will prevent every unauthorized attempt to access, use, or disclose personally identifiable information.

## **CPNI Notification**

Bolder Thinking notifies customers immediately of any account changes, including address of record, authentication, online account and password related changes.

## **Employee Training Policies**

All employees of Bolder Thinking are trained as to when they are, and are not, authorized to use CPNI.

Specifically, Bolder Thinking prohibits its personnel from releasing CPNI based upon a customer-initiated telephone call except under the following three (3) circumstances.

- When the customer has pre-established a password;

- When the information requested by the customer is to be sent to the customer's address of record; or
- When Bolder Thinking calls the customer's telephone number of record and discusses the information with the party initially identified by customer when service was initiated.

## **Disclosure to Business Customers**

Bolder Thinking may negotiate alternative authentication procedures for services that the Company provides to business customers that have a dedicated account representative and a contract that specifically addresses the protection of CPNI.

## **Disciplinary Procedures**

Bolder Thinking has informed its employees and agents that it considers compliance with the Communications Act and FCC Rules regarding the use, disclosure, and access to CPNI to be very important.

Violation by company employees or agents of such CPNI requirements will lead to disciplinary action (including remedial training, reprimands, unfavorable performance reviews, probation, and termination), depending upon the circumstances of the violation (including the severity of the violation, whether the violation was a first time or repeat violation, whether appropriate guidance was sought or received from a supervisor, and the extent to which the violation was or was not deliberate or malicious).

## **Use of CPNI in Sales and Marketing Campaigns**

If Bolder Thinking uses CPNI in marketing campaigns, the company will maintain a record of all sales and marketing campaigns that use the CPNI. The record will include a description of each campaign, the specific CPNI that was used in the campaign, and what products and services were offered as part of the campaign.

Bolder Thinking will also implement a system to obtain prior approval and informed consent from its customers in accordance with the CPNI Rules. This system will allow for the status of a customer's CPNI approval to be clearly established prior to the use of CPNI.

Prior to commencement of a sales or marketing campaign that utilizes CPNI, Bolder Thinking will establish the status of a customer's CPNI approval. The following sets forth the procedure that will be followed by the Company:

- Prior to any solicitation for customer approval, Bolder Thinking will notify customers of their right to restrict the use of, disclosure of, and access to their CPNI.
- Bolder Thinking will use opt-in approval for any instance in which Company must obtain customer approval prior to using, disclosing or permitting access to CPNI.
- A customer's approval or disapproval remains in effect until the customer revokes or limits such approval or disapproval.
- Records of approvals are maintained for at least one year.
- Bolder Thinking provides individual notice to customers when soliciting approval to use, disclose or permit access to CPNI.
- The CPNI notices sent by Bolder Thinking comply with FCC Rule 64.2008(c).

Bolder Thinking will also establish a supervisory review process regarding compliance with the CPNI rules for outbound marketing situations and will maintain compliance records for at least one (1) year.

## **FCC Notification**

Company is prepared to provide written notice within five (5) business days to the FCC of any instance where the opt-in mechanisms do not work properly or to such a degree that consumers' inability to opt-in is more than an anomaly.

## **Third Party Use of CPNI**

To safeguard CPNI, prior to allowing joint venturers or independent contractors access to customers' individually identifiable CPNI, Bolder Thinking will require all such third parties to enter into a confidentiality agreement that ensures compliance with this Statement of Policy and Bolder Thinking shall also obtain opt-in consent from a customer prior to disclosing the information to such third parties. In addition, Bolder Thinking requires all outside agents to acknowledge and certify that they may only use CPNI for the purpose for which that information has been provided.

Bolder Thinking requires express written authorization from the customer prior to dispensing CPNI to new carriers, except as otherwise required by law.

Bolder Thinking does not market or sell CPNI information to any third party.

## **Law Enforcement Notification of Unauthorized Disclosure**

If an unauthorized disclosure of CPNI occurs, Bolder Thinking shall provide notification of the breach within seven (7) days to the United States Secret Service ("USSS") and the Federal Bureau of Investigation ("FBI").

Bolder Thinking shall wait an additional seven (7) days from its government notice prior to notifying the affected customers of the breach.

Notwithstanding the above, Bolder Thinking shall not wait the additional seven (7) days to notify its customers if the Company determines there is an immediate risk of irreparable harm to the customers.

Bolder Thinking shall maintain records of discovered breaches for a period of at least two (2) years.

## **Customer Complaints**

Bolder Thinking has not received any customer complaints in the past year concerning the unauthorized release of or access to CPNI.

## **Actions taken against Pretexters**

Bolder Thinking has not taken any actions against data brokers before state commissions, state or federal courts, or the FCC in the past year. Bolder Thinking has no information, other than information that has been publicly reported, regarding the processes that pretexters are using to attempt to access CPNI.

## **Annual CPNI Certification**

Pursuant to FCC regulations, 47 C.F.R. § 64.20089(e), Bolder Thinking will annually submit to the FCC, prior to March 1st, a CPNI Certification of Compliance and accompanying Statement regarding the company's CPNI policies and operating procedures. These documents certify that Bolder Thinking complied with federal laws and FCC regulations regarding the protection of CPNI throughout the prior calendar year.



**Bolder Thinking LLC**  
**Annual CPNI Certification**  
**47 C.F.R. § 64.2009(e)**  
**EB Docket No. 06-36**

COMPANY NAME: Bolder Thinking LLC  
REPORTING PERIOD: January 1, 2011 - December 31, 2011  
FILER ID: 829063  
OFFICER: John Jasper  
TITLE: Owner/CEO

I, John Jasper, hereby certify that I am an officer of Bolder Thinking LLC ("Bolder Thinking") and that I am authorized to make this certification on behalf of Bolder Thinking. I have personal knowledge that Bolder Thinking has established operating procedures that are adequate to ensure compliance with the Federal Communications Commission's rules governing Customer Proprietary Network Information ("CPNI"), to the extent that such rules apply to Bolder Thinking or to any of the information obtained by Bolder Thinking. See 47 C.F.R. § 64.2001 et seq.

Attached to this certification is an accompanying statement explaining the procedures Bolder Thinking employs to ensure that it complies with the requirements set forth in 47 C.F.R. § 64.2001 et seq. of the Commission's rules, to the extent that such requirements apply to Bolder Thinking or to the information obtained by Bolder Thinking.

Signed: \_\_\_\_\_

On behalf of Bolder Thinking LLC

Date: \_\_\_\_\_

2-29-2012